

**ORIGINAL**

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KM

CARMEN NITESCU,

Plaintiff,

vs.

STRYKER CORPORATION, a business form unknown; HOWMEDICA OSTEONICS CORPORATION, a business form unknown, a wholly owned subsidiary of STRYKER CORPORATION, a business form unknown; HOWMEDICA OSTEONICS CORPORATION, a business form unknown dba STRYKER ORTHOPAEDICS, a wholly owned subsidiary of STRYKER CORPORATION, a business form unknown; DOES 1 through 100, inclusive,

Defendants.

CASE NO. CV-S-05-0774-KJD-GWF

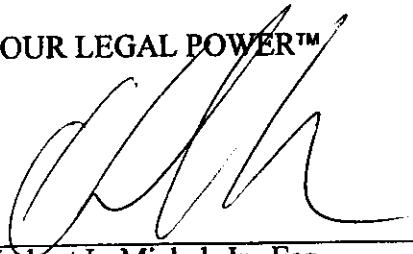
STIPULATION AND ORDER TO  
DISMISS WITH PREJUDICE

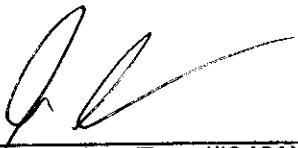
IT IS HEREBY STIPULATED AND AGREED by and among CARMEN NITESCU ("Plaintiff") and STRYKER CORPORATION and HOWMEDICA OSTEONICS CORPORATION (formerly d/b/a "Stryker Orthopaedics"), that this matter can and should be dismissed with prejudice against refiling in its entirety. Each side will bear its own costs and attorneys' fees. Pursuant to Fed.R.Civ.P. 41(a)(1), no further Order of the Court is needed to effectuate this dismissal.

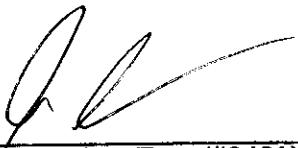
RESPECTFULLY SUBMITTED this 3<sup>rd</sup> day of October, 2005.

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**ORDER**

IT IS SO ORDERED this 17 day of October, 2005.

  
UNITED STATES DISTRICT JUDGE  
UNITED STATES MAGISTRATE JUDGE

Submitted by:  
McDonald Carano Wilson LLP

  
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